

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MANGUNGU,

Plaintiff(s),

v.

CITY OF SEATTLE, et al.,

Defendant(s).

NO. C03-1053P

ORDER ON MOTION FOR  
RECONSIDERATION

The above-entitled Court, having received and reviewed:

1. City's Motion for reconsideration of Court's Orders re: Internal Investigation Files
2. Plaintiff's Response to City's Motion for Reconsideration

and all exhibits and declarations attached thereto, makes the following ruling:

IT IS HEREBY ORDERED that, for the period of one year preceding April 23, 2001, the City will respond to Plaintiff's original Interrogatory No. 9(a) by providing the nature, substance and description of any citizen complaint against an officer of the department alleging excessive use of force in the making of an arrest, false arrest and/or malicious or unlawful prosecution in answer form; said answers to be produced within 15 days of the date of this order.

IT IS FURTHER ORDERED that the names of the officers identified in the complaints shall be replaced by numbers (each number corresponding to an individual officer) and a list correlating the numbers to the individual officers shall be lodged with the Court.

IT IS FURTHER ORDERED that the request for an interlocutory appeal of the Court's previous order will be DENIED.

IT IS FURTHER ORDERED that Plaintiff's Fourth Request for Production will be DENIED.

1 IT IS FURTHER ORDERED that, within 15 days of the date of this order, the parties shall file  
2 a Joint Status Report.

3 **Discussion**

4 The Court agrees with Plaintiff regarding the timeliness of Defendant's Motion for  
5 Reconsideration; the time for this motion was immediately following the March 12, 2004 order, not in  
6 the wake of the City's request to clarify a previously-entered order. However, in light of the extreme  
7 delays already created in this matter and in the interests of judicial efficiency and economy, the Court  
8 will entertain the motion to reconsider and use this opportunity to straighten out the procedural kinks  
9 and get this case back on track.

10 In the original order to produce the Internal Investigation Service (IIS) files, the Court was  
11 attempting to address the City's complaint that the production of the all the information requested in  
12 Plaintiff's interrogatories was too burdensome. It was thought that, if the City simply produced the  
13 IIS files themselves (suitably redacted), they would be saved the time and expense of sifting through  
14 the documents for the information requested by Plaintiff.

15 It is apparent that the City is now prepared to undertake the effort required to extract the  
16 requested data rather than turn over the files themselves, and they shall be ordered to do so forthwith.  
17 The request for production of the entire IIS files, which Plaintiff has now made formally, will be denied  
18 – following its in camera review of the documents, the Court is unconvinced that the production of any  
19 more of the information contained in the files than Plaintiff originally requested will produce evidence  
20 relevant to Plaintiff's allegations.

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1 The parties are further ordered to confer at the earliest possible moment and file with this  
2 Court, within 15days, a Joint Status Report which will allow the creation of a trial schedule and assist  
3 in moving this case forward to completion.

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5 The clerk is directed to provide copies of this order to all counsel of record.

6 Dated: September \_28\_, 2004

7 \_/s Marsha J. Pechman\_\_\_\_\_  
8 Marsha J. Pechman  
9 United States District Judge  
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